

Committee on Resources

Witness Testimony

Testimony on HR 1739 and HR 2149

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MADAM CHAIRMAN AND MEMBERS OF THE SUBCOMMITTEE:

We appreciate the opportunity to provide the views of the Department of Agriculture concerning these two bills which address management of the Boundary Waters Canoe Area Wilderness.

The Department of Agriculture opposes enactment of both H.R. 1739 and H.R. 2149.

We recognize the continued controversy associated with management (BWCAW). This has of the Boundary Waters Canoe Area Wilderness (BWCAW). This has been the case for at least the past 50 years and we understand the in our view neither concerns of the various interests. However, in our view neither H.R. 1739 or H.R. 2149 provide solutions to that controversy, and may in fact increase the polarization. Although there have been several significant changes since legislation similar to H.R. 1739 was considered in the 104th Congress, such as the removal of provisions for an advisory council and expanded motorized use on lakes, we remain opposed to H.R. 1739.

These and other issues were the subject of an intense mediation process which recently concluded. Professional federal mediators spent many months facilitating an attempt to resolve these contentious issues. Despite the best efforts of well-intentioned people to come to resolution on the portages and motorized use on several lakes, no consensus could be reached.

The BWCAW is truly unique within our National Wilderness Preservation System (NWPS) and we are proud to have it entrusted to our care. The BWCAW is the largest wilderness east of the Mississippi, consisting of over one million acres of lakes, streams, and forests. It extends nearly 150 miles along the international boundary adjacent to Canada's Quetico Provincial Park, creating a natural, water-based international treasure, unparalleled in the world.

Reflecting these superb values, the BWCAW is the most heavily used wilderness in the United States. Although comprising only one percent of the National Wilderness Preservation System acreage, the BWCAW accounts for over 10 percent of the use for the entire system. This high level of use has necessitated certain management actions, which many other wilderness areas do not require, in order to protect its wilderness character. Many of these actions, such as motorboat quotas, are required by the statute

which established the wilderness and in turn have added to the controversy. The BWCAW is also an important economic resource, contributing nearly \$30 million to the economy of northern Minnesota each year.

H.R. 1739

H.R. 1739 would make several changes in the management of the BWCAW which we find undesirable. Section 3(a) would provide for continued motorboat use on Seagull Lake which is scheduled to be phased out under existing law (P.L. 95-495) by 1999. Seagull Lake is a large lake near the end of the Gunflint Trail which lies mostly within the wilderness. Seagull Lake has remained open to motorboats with up to 10 horsepower motors since the 1978 legislation was enacted.

Currently, about 23 percent of the water surface within the wilderness is open to motorized use. The existing statute would result in a reduction of another 3600 acres (2 percent) when Seagull Lake motor use within the wilderness is phased out. This would still leave more than 1 acre of every 5 in the wilderness open to motor use, which is a large proportion for an activity normally not allowed within the NWPS. Keeping Seagull Lake open should be considered in the larger context of the Superior National Forest, which has another 2 million acres and 1000 lakes outside the wilderness which are available to visitors who desire a more developed setting with very few restrictions on motor use or other activities.

Section 3(b) would provide for reopening three portages to motorized use that were closed by court order several years ago. The Forest Service originally supported keeping these portages open to motorized traffic because we believed there was no feasible alternative for boat transport. However, following the court ruling, visitors continued to transport their boats over two portages by non-motorized means, some on their own and others using the services of concession operators. The third portage (Four Mile) is rarely used, but visitors can reach the same lake (Basswood) via two alternative routes.

Because the portages are not specified in the bill, the language could be interpreted to provide for motorized use on other portages that have not previously had such use.

The court-ordered closures did result in a shift in use patterns for visitors to Basswood Lake, away from Four Mile portage to the shorter Prairie and Newton-Pipestone portages. Consequently, quotas for motor use have been moved to the shorter portages to accommodate the change. The net result has been that, even though use patterns shifted to the shorter portages, numbers of visitors to Basswood Lake continued to increase after the motorized transports were closed in 1992.

The use levels have now reached the ceilings imposed by the quotas, and generally all available quotas are being used. If the portages were reopened to motor transport, entrance quotas would need to be reduced at the shorter portages and shifted back to Four Mile portage to accommodate any increase there.

In short, based on use data, firsthand observations, and informal discussions with visitors, our experience since these portages were closed has led us to conclude that access is not unduly restricted, public needs are being reasonably met given the constraints of the 1978 legislation, and that the quality of the wilderness setting is improved by the current status.

H.R. 2149

H.R. 2149 takes the opposite approach to the question of motorized use in the BWCAW and would further

restrict the use of motorboats within the wilderness. Additional areas would be closed to motorboats and the use of portage wheels, and towboat operations would be prohibited. The bill would also add approximately 7,400 acres in several different parcels to the existing wilderness and extend the existing airspace reservation to these areas. Although these may be positive changes from the perspective of the wilderness setting, these would also be extremely controversial and upset the long-standing management of the affected lakes. This would, in turn, necessitate reopening the planning process which has just been completed after years of public involvement, appeals, and litigation.

In a recent development, a U.S. District Judge ruled earlier this summer that the Forest Service has neither unduly limited visitor access nor allowed excessive motorboat use of the BWCAW, thus upholding the current management plan. The judge rejected arguments set forth by local interests who favor greater access and by environmentalists who seek to restrict further access to the BWCAW. In light of both the mediation outcome and the ruling on the lawsuits, these bills would not resolve the issues and would likely intensify old conflicts.

We realize that certain changes due to the statutes and subsequent court rulings have affected traditional use patterns and long-standing local practices. We wish it were possible to satisfy all demands, but we have rarely found easy answers when it comes to the BWCAW. The Forest Service is committed to managing the BWCAW so as to protect its resources, while still providing for their use and enjoyment within the laws that govern the management of our natural resources. Madam Chairman, this concludes my prepared remarks and I would be pleased to respond to questions about our management of the BWCAW.

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